

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1080 be amended to read as follows:

- 1 Page 2, delete lines 18 through 20.
- 2 Page 2, line 21, delete "(e)" and insert "(d)".
- 3 Page 2, line 23, delete "(f)" and insert "(e)".
- 4 Page 2, between lines 30 and 31, begin a new paragraph and insert:
- 5 **"(f) A contractor that wants to claim a preference provided**
- 6 **under this section must do all of the following:**
- 7 **(1) State in the contractor's bid that the contractor claims**
- 8 **the preference provided by this section.**
- 9 **(2) Provide the following information to the department:**
- 10 **(A) The location of the contractor's principal place of**
- 11 **business. If the contractor claims the preference as an**
- 12 **Indiana business described in subsection (a)(1), a**
- 13 **statement explaining the reasons the contractor considers**
- 14 **the location named as the contractor's principal place of**
- 15 **business.**
- 16 **(B) The amount of the contractor's total payroll and the**
- 17 **amount of the contractor's payroll paid to Indiana**
- 18 **residents.**
- 19 **(C) The number of the contractor's employees and the**
- 20 **number of the contractor's employees who are Indiana**
- 21 **residents.**
- 22 **(D) If the contractor claims the preference as an Indiana**
- 23 **business described in subsection (a)(4), a description of**
- 24 **the capital investments made in Indiana and a statement**
- 25 **of the amount of those capital investments.**
- 26 **(E) If the contractor claims the preference as an Indiana**
- 27 **business described in subsection (a)(5), a description of**
- 28 **the substantial positive economic impact the contractor**
- 29 **has on Indiana.**

1 (g) This section expires July 1, 2009."

2 Page 4, between lines 19 and 20, begin a new paragraph and insert:

3 "(f) A business that wants to claim a preference provided under
4 this section must do all of the following:

5 (1) State in the business's bid that the business claims the
6 preference provided by this section.

7 (2) Provide the following information to the department:

8 (A) The location of the business's principal place of
9 business. If the business claims the preference as an
10 Indiana business described in subsection (b)(1), a
11 statement explaining the reasons the business considers
12 the location named as the business's principal place of
13 business.

14 (B) The amount of the business's total payroll and the
15 amount of the business's payroll paid to Indiana residents.

16 (C) The number of the business's employees and the
17 number of the business's employees who are Indiana
18 residents.

19 (D) If the business claims the preference as an Indiana
20 business described in subsection (b)(4), a description of
21 the capital investments made in Indiana and a statement
22 of the amount of those capital investments.

23 (E) If the business claims the preference as an Indiana
24 business described in subsection (b)(5), a description of
25 the substantial positive economic impact the business has
26 on Indiana.

27 (g) This section expires July 1, 2009."

28 Page 5, after line 3, begin a new paragraph and insert:

29 "SECTION 6. [EFFECTIVE JULY 1, 2004] (a) As used in this
30 SECTION, "department" refers to the Indiana department of
31 administration established by IC 4-13-1-2.

32 (b) As used in this SECTION, "preference" refers to an
33 Indiana business preference claimed by a contractor or a business
34 under a preference statute.

35 (c) As used in this SECTION, "preference statute" refers to
36 either of the following:

37 (1) IC 4-13.6-6-2.7, as added by this act.

38 (2) IC 5-22-15-20.5, as added by this act.

39 (d) The department shall compile and organize a report relating
40 to every contractor or business that claims a preference. The
41 report must include the following information:

42 (1) A summary of the information that contractors and
43 businesses that claim a preference are required to report
44 under the preference statute.

1 **(2) A summary of the number of contracts awarded to**
2 **Indiana contractors or businesses under a preference statute.**
3 **The summary must be broken down by each of the criteria in**
4 **the preference statute for determining whether a business is**
5 **an Indiana business.**

6 **(3) A statement of issues or questions raised, if any, in the**
7 **implementation of the preference statutes.**

8 **(4) A statement of recommendations, if any, that the**
9 **department has for changes to the preference statutes.**

10 **(5) Any other information the department considers useful**
11 **in the evaluation of the preference statutes.**

12 **(e) The report described by subsection (c) must:**

13 **(1) provide the statistical information broken down by fiscal**
14 **year with the fiscal year ending:**

15 **(A) June 30, 2005, being the first year of the report; and**

16 **(B) June 30, 2008, being the last year of the report; and**

17 **(2) be submitted to the legislative council not later than**
18 **September 1, 2008, in an electronic format under IC 5-14-6.**

19 **(f) This SECTION expires July 1, 2009.**

20 Renumber all SECTIONS consecutively.

(Reference is to EHB 1080 as printed February 17, 2004.)

Senator WEATHERWAX